

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

-against-

ROBERT MENENDEZ et al.,

Defendants.

Case No. S2 23-cr-490 (SHS)

NOTICE OF PRETRIAL MOTIONS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law, the Declaration of Avi Weitzman, and the Declaration of Adam Fee and Exhibits attached thereto, Defendant Senator Robert Menendez will and hereby does respectfully move this Court, before the Honorable Sidney H. Stein, United States District Judge, in Courtroom 23A at the United States District Court for the Southern District of New York, 500 Pearl Street, New York, New York, 10007, on a date and time to be designated by the Court, pursuant to Federal Rules of Criminal Procedure 12, 14(a), and/or 21(b), for an Order (1) dismissing the Second Superseding Indictment (“Indictment”) for improper venue or, in the alternative, transferring this matter to the District of New Jersey in the interests of justice; (2) dismissing the Indictment as improperly duplicitous, or, in the alternative, requiring a special jury verdict form; and (3) severing the trial of Senator Menendez from the trial of his co-defendants.

PLEASE TAKE FURTHER NOTICE that, by Order of the Court (ECF No. 112), any opposition papers shall be filed on or before February 5, 2024, and any reply papers shall be filed on or before February 12, 2024.

Dated: January 15, 2024

Respectfully submitted,

Yaakov M. Roth, *pro hac vice*
JONES DAY
51 Louisiana Avenue N.W.
Washington, D.C. 20001
Telephone: (202) 879-3939
Facsimile: (202) 626-1700

By: /s/ Adam Fee

Adam Fee
PAUL HASTINGS LLP
1999 Avenue of the Stars
Los Angeles, CA 90067
Telephone: 1(310) 620-5719
Facsimile: 1(310) 620-5819

Avi Weitzman
PAUL HASTINGS LLP
200 Park Avenue
New York, NY 10166
Telephone: 1(212) 318-6000
Facsimile: 1(212) 725-3620

Robert D. Luskin
PAUL HASTINGS LLP
2050 M Street NW
Washington, D.C. 20036
Telephone: 1(202) 551-1966
Facsimile: 1(202) 551-0466

Attorneys for Defendant Robert Menendez